

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERIC RYAN HAYDE,

Plaintiff,

v.

TAMARA TABER, et al.,

Defendants.

No. 2:23-cv-1131 AC P

ORDER

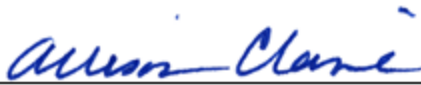
By order filed January 22, 2024, the undersigned granted plaintiff's motion to modify the discovery and scheduling order and extended the time to serve discovery requests to March 14, 2024, and the time to file motions to compel to May 13, 2024. ECF No. 24. Plaintiff has now filed a second motion for an extension of time to serve discovery requests and file a motion to compel. ECF No. 28. In his motion, plaintiff states that he was hospitalized from March 13 to March 22, 2024, and then transferred to a different prison yard after he was attacked by his cellmate on March 27, 2024. Id. at 1-2. As a result, plaintiff was temporarily separated from his property. Id. at 2. He also appears to assert that due to staffing issues, he was unable to access the law library on two of his scheduled days. Id.

The deadline to serve written discovery requests has already been extended once at plaintiff's request, and he has not explained why he was unable to serve requests during the time he has already been provided. With respect to the request to extend the time to file motions to

1 compel, approximately one month still remains before the current deadline expires, and plaintiff
2 has not explained why the remaining time is insufficient. The motion will therefore be denied
3 without prejudice to a motion that explains how much additional time plaintiff is seeking, why he
4 requires the additional time, and why the time he has already been provided was not enough.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for an extension of time
6 (ECF No. 28) is DENIED without prejudice.

7 DATED: April 16, 2024

8 
9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28